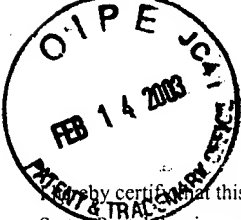


# 24



by certifying that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 021385-014500US  
Client Ref. No.: 303346.00001

Assistant Commissioner for Patents  
Washington, D.C. 20231

On February 7, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

RECEIVED  
FEB 14 2003  
OFFICE OF PETITIONS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Peter J. Meikle, et al.

Application No.: 09/180,657

Filed: November 12, 1998

For: EARLY DETECTION OF  
LYSOSOMAL STORAGE  
DISORDERS

Examiner: Nolan, Patrick J.

Art Unit: 1644

NOTIFICATION OF ERROR IN SMALL  
ENTITY STATUS AND PAYMENT OF  
DEFICIENCY OWED UNDER 37 CFR  
§1.28(c)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-referenced U.S. national phase of PCT/AU97/00304 which was accepted on November 12, 1998, originally claimed small entity status in good faith. However, it has recently been discovered that such status as a small entity was established in error due to inadvertence and without deceptive intent. The following submission and itemization hereby meet the requirements of 37 CFR § 1.28(c)(1) and (c)(2) and MPEP §509.03(X). Therefore, Applicants respectfully request the total deficiency payment be processed as set out below and that the error be excused.

02/14/2003 SLUANG1 00000018 201430 09180657

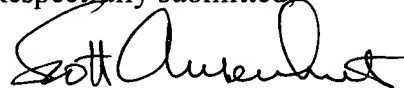
01 FC:1801 750.00 CH  
02 FC:1252 410.00 CH

ITEMIZATION AND CALCULATION OF THE DEFICIENCY OWED

DATE FILED	TYPE OF FEE	SMALL FEE ACTUALLY PAID	(CURRENT) LARGE FEE APPLIED	DEFICIENCY PAYMENT OWED
11/12/98	Basic National Fee	\$535.00	\$1060.00	\$525.00
11/12/98	Claims over 20	605.00	990.00	385.00
11/12/98	Multiple dependent claims	135.00	280.00	145.00
01/30/01	Two Month Extension of Time	195.00	410.00	215.00
08/21/02	Request for Continued Examination	370.00	750.00	380.00
TOTAL DEFICIENCY OWED:				\$1,650.00

The Fee Transmittal included herewith authorizes payment of the deficiency fee of \$1,650.00.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

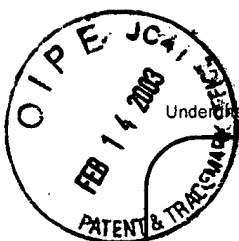
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SLA:mcl  
DE 7094408 v1

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		<b>Application Number</b>	09/180,657
		<b>Filing Date</b>	November 12, 1998
		<b>First Named Inventor</b>	Peter J. Meikle
		<b>Group Art Unit</b>	1644
		<b>Examiner Name</b>	Nolan, Patrick J.
<b>Total Number of Pages in This Submission</b>	1	<b>Attorney Docket Number</b>	021385-014500US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Postcard  Notification of Error in Small Entity Status and Payment of Deficiency Owed Under 37 CFR §1.28(c)
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Scott L. Ausenhus <div style="text-align: right;">Reg. No. 42,271</div>
Signature	
Date	February 7, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:	
<div style="border: 1px solid black; padding: 2px;">February 7, 2003</div>	
Typed or printed name	Maisie C. Livengood
Signature	
Date	February 7, 2003



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (01-03)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1650

Complete if Known

Application Number 09/180,657  
Filing Date November 12, 1998  
First Named Inventor Peter J. Meikle  
Examiner Name Nolan, Patrick J.  
Group Art Unit 1644  
Attorney Docket No. 021385-014500US

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FEB 14 2003  
OFFICE OF PETITIONS

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1001	750	2001	375	Utility filing fee
1002	330	2002	165	Design filing fee
1003	520	2003	260	Plant filing fee
1004	750	2004	375	Reissue filing fee
1005	160	2005	80	Provisional filing fee

Fee Paid

SUBTOTAL (1)

(\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fees from below	Fee Paid
Total Claims	** =	X	
Independent Claims	** =	X	
Multiple Dependent		X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Deficiency Fee 1650

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$ )1650

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott L. Ausenhus	Registration No. (Attorney/Agent)	42,271	Telephone	303-571-4000
Signature				Date	February 7, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. DE 7094563 v1

## Transaction List

Search by

☐ Accounting Date:  Operator ID: 

(MMDDYY)

Accounting Date

Starts:

Ends:

☒ Name/Number: 
☐ Attny Docket No.: 
☐ Deposit Account No.: 


Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acc
08/23/2002	MGBREM1	18	SALE	279	A	370.00	09180657	201430
06/10/2002	MBERHE	131	SALE	126	A	180.00	09180657	201430
05/02/2002	TBESHAH1	6	SALE	126	A	180.00	09180657	201430
01/08/2002	CVORACHA	26	SALE	117	A	920.00	09180657	201430
02/06/2001	JADDO1	82	SALE	216	A	195.00	09180657	201430
07/03/2000	DCOATES	144	ADJ	581	A	-40.00	09180657	111153
06/09/1999	MTHAI1	222	SALE	581	R	40.00	09180657	111153
03/16/1999	WCLAYBRO	88	RP	704	A	-126.00	09180657	111153
03/16/1999	WCLAYBRO	87	SALE	967	A	369.00	09180657	
03/16/1999	WCLAYBRO	86	ADJ	967	A	-495.00	09180657	
11/20/1998	WCLAYBRO	169	BP	704	A	-205.00	09180657	111153



Adjustment Detail

Authorization Detail



1.28C

Adjustment date: 02/14/2003 SLUANG1  
 08/23/2002 MGBREM1 00000009 201430 09180657  
 370.00 CR

Adjustment date: 02/14/2003 SLUANG1  
 02/06/2001 JADDO1 00000061 201430 09180657  
 195.00 CR